

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: 6

By HON. WARREN R. DARROW

CASE NO. P1300CR20081339

JEANNE HICKS, CLERK

By: Heather Smith, Deputy Clerk

DATE: September 10, 2010

FILED

DATE: 09/10/10

9:07 O'Clock A.M.

JEANNE HICKS, CLERK

BY: HEATHER SMITH

Deputy

TITLE:

STATE OF ARIZONA

(Plaintiff)

Vs.

STEVEN CARROLL DEMOCKER

(D-1)

(Defendant)

COUNSEL:

Yavapai County Attorney

(For Plaintiff)

John Sears

Larry Hammond & Anne Chapman

OSBORN MALEDON, P.A.

(For Defendant)

HEARING ON:

Jury Trial – Day 47 - Sealed

NATURE OF PROCEEDINGS

COURT REPORTER

Roxanne Tarn

START TIME: 9:07 a.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Jeff Paupore, Deputy County Attorney
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant
Anne Chapman, Counsel for Defendant
Steven Carroll Democker, Defendant in Custody

At 9:07 a.m., Court reconvenes with all Counsel present in chambers.

Court notes, [REDACTED] is present whom is a [REDACTED] for the Defense.

Counsel waives the presence of the Defendant at this time.

Court indicates, it was provided with 2 letters from 2 separate jurors a few minutes ago which need to be discussed.

Court and Counsel discuss the questions.

IT IS ORDERED the letters shall be sealed.

At 10:00 a.m., Court takes a brief recess.

At 10:15 a.m., Court reconvenes with all Counsel present in Chambers.

Court and Counsel discuss the letters.

At 10:28 a.m., Juror [REDACTED] enters chambers, is addressed by Court and Counsel and is excused at 10:40 a.m.

Court and Counsel discuss the letters further.

Court takes a brief recess at 11:07 a.m.

At 11:15 a.m., Court reconvenes with both County Attorneys, all Defense Counsel, the Defendant and the Jury Panel present.

Court addresses the Jury panel as to some legal issues that have arisen.

Court indicates it will be speaking with certain jurors in private and directs the Jurors to speak with the bailiff in regards to whom should stay.

Court directs the Jury Panel to return at 1:30 p.m. with the exception of those Jurors to which the Bailiff has indicated needs to remain.

At 11:25 a.m., the Jury Panel exits the Courtroom.

At 11:30 a.m., Court reconvenes in chambers with all Counsel present.

Counsel for Defendant waives the presence of the Defendant.

At 11:25 a.m., Juror [REDACTED] enters chambers, is addressed by Court and Counsel and is excused at 11:33 a.m.

At 11:35 a.m., Juror [REDACTED] enters chambers, is addressed by Court and Counsel and is excused at 11:50 a.m.

At 12:01 p.m., Juror [REDACTED] enters chambers, is addressed by Court and Counsel and is excused at 12:07 p.m.

At 12:16 p.m., Juror [REDACTED] enters chambers, is addressed by Court and Counsel and is excused at 12:20 p.m.

At 12:43 p.m. Juror [REDACTED] enters chambers, is addressed by Court and Counsel and is excused at 12:48 p.m.

Based upon the information and discussions, The Court Finds Juror [REDACTED] is disqualified at this time and will address Juror [REDACTED] after the lunch break.

***** Recess at 1:07 p.m. *****

At 1:43 p.m., Court reconvenes with Counsel in chambers.

Counsel for Defendant waives the presence of the Defendant.

Counsel for State informs the Court, he now has the employment records reviewed by Counsel for Defendant last night along with the certifications as directed and notes, they were present before 12:00 p.m.

At 1:50 p.m., Juror [REDACTED] enters chambers and is addressed by Court and Counsel.

At 1:55 p.m., Juror [REDACTED] is excused from the Jury Panel.

Court reminds the Juror that the admonition remains in effect. The Juror may not speak with any sort of media and may not speak with any other Juror in this matter.

At 1:58 p.m., Juror [REDACTED] exits chambers.

At 2:15 p.m., Court reconvenes with all Counsel and Defendant present in the Courtroom.

Court indicates, the trial will be concluded at this time and will commence on September 14, 2010 at 9:00 a.m.

***** Recess at 2:16 p.m. *****

At 2:31 p.m., Court reconvenes with Counsel and Defendant present in the Courtroom.

Based upon Counsel's request, Counsel shall be present at 8:30 a.m. on Tuesday, September 14, 2010 to discuss some legal issues.

At 2:52 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 3:00 p.m.

At 3:02 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 3:11 p.m.

At 3:13 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 3:29 p.m.

***** Recess at 3:30 p.m. *****

At 3:39 p.m., Court reconvenes with Counsel and Defendant present in the Courtroom.

At 3:41 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 3:52 p.m.

At 3:54 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 4:05 p.m.

At 4:08 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 4:13 p.m.

At 4:16 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 4:21 p.m.

At 4:23 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 4:32 p.m.

At 4:33 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 4:39 p.m.

At 4:41 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 4:48 p.m.

At 4:52 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 4:56 p.m.

At 4:57 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 5:05 p.m.

At 5:06 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 5:15 p.m.

At 5:16 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 5:21 p.m.

At 5:22 p.m., Juror [REDACTED] enters the Courtroom, is addressed by Court and Counsel and is excused at 5:31 p.m.

Upon the exit of each Juror, the Court reminds the Jurors this matter will continue September 14, 2010 at 9:00 a.m.

Court directs the Clerk to place a copy of the note from the Jury Room in the Court's file and file stamp the note.

Thereafter, off the record, the Clerk is directed to seal the note from the Jury Room.

Court adjourns at 5:30 p.m.

cc: Dean Trebesch (Contract Administrator) (PD)
Christopher DuPont, Trautman DuPont PLC,
Counsel for Victims Charlotte and Katherine DeMocker
YCSO – Detention Records
Victim Services
John Napper, Counsel for Renee Girard
Division 6